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Kan Torii

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EXAMINER

PACHURA, REBECCA L

ART UNIT

PAPER NUMBER

2136

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/531,173	Applicant(s) TORII, KAN	
	Examiner Rebecca L. Pachura	Art Unit 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7 and 9-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7 and 9-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. The objections to claims 3-6, 9-12, 14-15, and 17-18 are withdrawn based on the amendments submitted on 05/29/2008. Claim 7 is objected to because of the following informalities: claim 7 states "The authentication method" it should state "An authentication method". Appropriate correction is required.

Status of Claims

2. **Claims 1, 3-7, and 9-19 are pending in this Office Action.**
Claims 1, 3-7, and 9-19 are amended.
Claims 2 and 8 are canceled.

Response to Amendment

3. **The 35 U.S.C. 101 rejection on claim 19 is withdrawn based on the applicant's amendments submitted on 05/29/2008.**

Response to Arguments

4. Applicant's arguments 05/29/2008 have been fully considered but they are not persuasive.

Applicant's Invention as claimed:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 5, 6, 7, 11, 12, 13, 14, 16, 17, and 19 rejected under 35 U.S.C. 102(b) as being anticipated by US 6021496 (Dutcher) (Applicant's IDS).

As to claim 1, (Currently Amended) Dutcher discloses an authentication apparatus having a plurality of authentication mechanisms, characterized by comprising: an input unit adapted to input authentication information of an object of authentication, said authentication information having been already authenticated by a first mechanism that is in use (Dutcher column 5, lines 5-8 and column 20, lines 6-49);

a determination unit adapted to determine whether the authentication information that has been input by said input unit corresponds to ~~means is that of~~ an object of authentication that has an authority to change ~~is capable of changing~~ over the first plurality of authentication mechanism in use to another authentication mechanism ~~mechanisms~~ (Dutcher column 2, lines 55-64);

a display control unit adapted to display a list of the plurality of authentication mechanisms if it has been determined by said determination unit that the authentication information that has been input corresponds to the object of authentication that has the authority to make ~~is one capable of making~~ the changeover (Dutcher column 3, lines 8-15); ~~and~~

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a registration unit adapted to register, as an effective authentication mechanism, ~~an~~ a second authentication mechanism that has been selected from the list displayed by said display control unit (Dutcher column 3, lines 16-23);

a verification unit adapted to verify that authentication of the object of authentication in the second authentication mechanism succeeds (Dutcher column 20, lines 6-49); and an invalidation unit adapted to invalidate the first authentication mechanism, if it has been verified by the verification unit that the authentication of the object of authentication in the second authentication mechanism succeeds (Dutcher column 11, lines 26-49).

As to claim 5, (Currently Amended) Dutcher discloses ~~An~~ the authentication apparatus according to claim 1, wherein each of said plurality of authentication mechanisms has: a storage unit that has registered authentication information of an object of authentication; and an authentication determination unit which, in a case where entered authentication information of a user has been registered in said storage unit, is for authenticating this object of authentication (Dutcher column 3, lines 16-19).

As to claim 6, (Currently Amended) Dutcher discloses ~~An~~ the authentication apparatus according to claim 1, further having a start-up unit for starting up an authentication mechanism that has been registered as an effective authentication mechanism by said registration unit (Dutcher column 5, lines 8-21).

As to claim 7, (Currently Amended) Dutcher discloses ~~An~~ the authentication method of changing over a plurality of authentication mechanisms and performing authentication with any one of said plurality of authentication mechanisms, comprising:

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an input step of inputting authentication information of an object of authentication, said authentication information having been already authenticated by a first authentication mechanism that is in use (Dutcher column 5, lines 5-8);

a determination step of determining whether the authentication information that has been input at said input step corresponds to is that of an object of authentication that has an authority to change is capable of changing over the first plurality of authentication mechanism in use to another authentication mechanism mechanisms (Dutcher column 2, lines 55-64);

a display control step of displaying a list of the plurality of authentication mechanisms if it has been determined at said determination step that the authentication information that has been input corresponds to the object of authentication that has the authority to make is one capable of making the changeover (Dutcher column 3, lines 8-15); ~~and~~

a registration step of registering, as an effective authentication mechanism, ~~an~~ a second authentication mechanism that has been selected from the list displayed at said display control step (Dutcher column 3, lines 16-23);

a verification step of verifying that authentication of the object of authentication in the second authentication mechanism succeeds (Dutcher column 20, lines 6-49); and
an invalidation step of invalidating the first authentication mechanism, if it has been verified in the verification step that the authentication of the object of authentication in the second authentication mechanism succeeds (Dutcher column 11, lines 26-49).

As to claim 11, (Currently Amended) Dutcher discloses ~~An~~ the authentication method according to claim 7, wherein each of said plurality of authentication mechanisms has a storage unit that registers authentication information of an object of authentication (Dutcher column 17,

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lines 67), and said method further has an authentication determination step which, in a case where entered authentication information of an object of authentication has been registered in said storage unit, is a step of authenticating this object of authentication (Dutcher column 3, lines 16-19).

As to claim 12, (Currently Amended) Dutcher discloses ~~An~~ the authentication method according to claim 7, further having a start-up step of starting up an authentication mechanism that has been registered as an effective authentication mechanism at said registration step (Dutcher column 5, lines 8-21).

As to claim 13, (Currently Amended) Dutcher discloses an authentication method comprising:

an input step of inputting authentication information of an object of authentication (Dutcher column 5, lines 5-8);

a first authentication step of authenticating whether an object of authentication has access right to a first system using the authentication information of the object of authentication that has been input at said input step, and allowing the object of authentication to access the first system if authentication succeeds (Dutcher Figure 4);

a second authentication step of authenticating whether the object of authentication has access right to a second system using the authentication information of the object of authentication that has been input at said input step, and allowing the object of authentication to access the second system if authentication succeeds (Dutcher column 5, lines 22-31);

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a control step of controlling whether the object of authentication will be managed under management of the first system or under management of the second system (Dutcher column 6, lines 1-12); and

a verification step of verifying that authentication of the object of authentication in the second system has succeeded at said second authentication step; wherein if an instruction_a that instructs to switch ~~shifts~~ the object of authentication that is authenticated at the first authentication step from management under the first system to management under the second system_a has been recognized, said control step controls said first authentication step and said second authentication step, in order to switch ~~shift~~ the object of authentication from management under the first system to management under the second system, on the condition that the authentication of the object of authentication at said second authentication step has been verified at said verification step (Dutcher column 20, lines 6-49).

As to claim 14, (Currently Amended) Dutcher discloses ~~An~~ the authentication method according to claim 13, wherein said control step controls said first authentication step in such a manner that the object of authentication is excluded from management at said first authentication step in a case where it is verified at said verification step that the object of authentication has been authenticated at said second authentication step (Dutcher column 9, lines 20-26).

As to claim 16, (Currently Amended) Dutcher discloses an authentication apparatus comprising:

an input unit adapted to input authentication information of an object of authentication (Dutcher column 5, lines 5-8);

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a first authentication unit adapted to authenticate whether an object of authentication has access right to a first system using the authentication information of the object of authentication that has been input by said input unit, and allowing the object of authentication to access the first system if authentication succeeds (Dutcher Figure 4);

a second authentication unit adapted to authenticate whether the object of authentication has access right to a second system using the authentication information of the object of authentication that has been input by said input unit, and allowing the object of authentication to access the second system if authentication succeeds (Dutcher column 5, lines 22-31);

a control unit adapted to control whether the object of authentication will be managed under management of the first system or under management of the second system (Dutcher column 6, lines 1-12); and

a verification unit adapted to verify that authentication of the object of authentication in the second system by said second authentication unit has succeeded; wherein if an instruction, that instructs to switch ~~shifts~~ the object of authentication that is authenticated at the first authentication step from management under the first system to management under the second system has been recognized, said control unit controls said first authentication unit and said second authentication unit, in order to switch ~~shift~~ the object of authentication from management under the first system to management under the second system, on the condition that the authentication of the object of authentication by said second authentication unit has been verified by said verification unit (Dutcher column 20, lines 6-49).

As to claim 17, (Currently Amended) Dutcher discloses ~~An~~ the authentication apparatus according to claim 16, wherein said control unit controls said first authentication unit in such a

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manner that the object of authentication is excluded from management by said first authentication unit in a case where it is verified by said verification unit that the object of authentication has been authenticated by said second authentication unit (Dutcher column 9, lines 20-26).

As to claim 19, (Currently Amended) Dutcher discloses an authentication program stored in a computer-readable storage medium comprising:

code for implementing an input step of inputting authentication information of an object of authentication (Dutcher column 5, lines 5-8);

code for implementing a first authentication step of authenticating whether an object of authentication has access right to a first system using the authentication information of the object of authentication that has been input at said input step, and allowing the object of authentication to access the first system if authentication succeeds (Dutcher Figure 4);

code for implementing a second authentication step of authenticating whether the object of authentication has access right to a second system using the authentication information of the object of authentication that has been input at said input step, and allowing the object of authentication to access the second system if authentication succeeds (Dutcher column 5, lines 22-31);

code for implementing a control step of controlling whether the object of authentication will be managed under management of the first system or under management of the second system (Dutcher column 6, lines 1-12); and

code for implementing a verification step of verifying that authentication of the object of authentication in the second system has succeeded at said second authentication step; wherein if

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an instruction, that switches ~~shifts~~ the object of authentication that is authenticated at the first authentication step from management under the first system to management under the second system~ has been recognized, said control step controls said first authentication step and said second authentication step, in order to switch ~~shift~~ the object of authentication from management under the first system to management under the second system, on the condition that the authentication of the object of authentication at said second authentication step has been verified at said verification step (Dutcher column 20, lines 6-49).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 4, 9, 10, 15, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6021496 (Dutcher) (Applicant's IDS) as applied to claims 1, 7, 13, and 16 above, and in view of US 20020087894 (Foley) (Applicant's IDS).

As to claim 3, Currently Amended) Dutcher discloses ~~At~~ the authentication apparatus according to claim 1. Dutcher fails to teach wherein said input unit reads a card on which authentication information of an object of authentication has been recorded and inputs said authentication information.

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However, Foley discloses wherein said input unit reads a card on which authentication information of an object of authentication has been recorded and inputs said authentication information (Foley page 4, paragraph 0031).

It would be obvious to one of ordinary skill in the skill in the art at the time of the applicant's invention that smart cards were used to carry authentication information (Foley page 4, paragraph 0031).

As to claim 4, (Currently Amended) Dutcher discloses ~~An~~ the authentication apparatus according to claim 1. Dutcher fails to teach wherein said input unit inputs the authentication information using a web browser.

However, Foley discloses wherein said input unit inputs the authentication information using a web browser (Foley page 4, paragraph 0031).

It would be obvious to one of ordinary skill in the skill in the art at the time of the applicant's invention that web browsers were used to input authentication information into the system the user is trying to gain access to (Foley page 4, paragraph 0031).

As to claim 9, (Currently Amended) Dutcher discloses ~~An~~ the authentication method according to claim 7. Dutcher fails to teach wherein a card on which authentication information of an object of authentication has been recorded is read and said authentication information is input at said input step.

However, Foley discloses wherein a card on which authentication information of an object of authentication has been recorded is read and said authentication information is input at said input step (Foley page 4, paragraph 0031).

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It would be obvious to one of ordinary skill in the skill in the art at the time of the applicant's invention that web browsers were used to input authentication information into the system the user is trying to gain access to (Foley page 4, paragraph 0031).

As to claim 10, (Currently Amended) Dutcher discloses ~~An~~ the authentication method according to claim 7. Dutcher fails to teach wherein the authentication information input by a web browser at said input step.

However, Foley discloses wherein the authentication information input by a web browser at said input step (Foley page 4, paragraph 0031).

It would be obvious to one of ordinary skill in the skill in the art at the time of the applicant's invention that web browsers were used to input authentication information into the system the user is trying to gain access to (Foley page 4, paragraph 0031).

As to claim 15, (Currently Amended) Dutcher discloses ~~An~~ the authentication method according to claim 13. Dutcher fails to teach wherein said first authentication step authenticates user-level access privilege, and said second authentication step manages administrator-level access privilege.

However, Foley discloses wherein said first authentication step authenticates user-level access privilege, and said second authentication step manages administrator-level access privilege (Foley page 3, paragraph 0026).

It would be obvious to one of ordinary skill in the skill in the art at the time of the applicant's invention that if both a user and a host can select a different level of authentication then the first step could be user-level and the second step could be administrator-level (Foley page 3, paragraph 0026).

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As to claim 18, (Currently Amended) Dutcher discloses ~~An~~ the authentication apparatus according to claim 16. Dutcher fails to teach wherein said first authentication unit authenticates user-level access privilege, and said second authentication unit manages administrator-level access privilege.

However, Foley discloses wherein said first authentication unit authenticates user-level access privilege, and said second authentication unit manages administrator-level access privilege (Foley page 3, paragraph 0026).

It would be obvious to one of ordinary skill in the skill in the art at the time of the applicant's invention that if both a user and a host can select a different level of authentication then the first step could be user-level and the second step could be administrator-level (Foley page 3, paragraph 0026).

Remarks

7. Applicant has presented amendments for the 35 U.S.C. 101 rejection, has canceled 2 claims, and has made some amendments for clarification. Applicant has made arguments for the rest of the response, see below.

The Applicant Argues:

In order to avoid the situation mentioned above, the present invention recited in Claim 1 includes, inter alia, the features of a verification unit adapted to verify that authentication of an object of authentication in a second authentication mechanism succeeds, and an invalidation unit adapted to invalidate a first authentication mechanism if it has been verified by the verification unit that the authentication of the object of authentication in the second authentication

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mechanism succeeds. Due to these features, the invention recited in Claim 1 invalidates the first authentication mechanism that has been used only if the authentication in the new (i.e., second) authentication mechanism succeeds, which serves to prevent a situation from occurring where there is no authentication mechanism that may authenticate the user, that is, a situation where the user is “locked out” from the authentication mechanism (authentication system).

Applicant submits that the cited art fails to disclose or suggest at least the above-mentioned features of Claim 1.

In response, the examiner respectfully submits:

That Dutcher does disclose “the features of a verification unit adapted to verify that authentication of an object of authentication in a second authentication mechanism succeeds, and an invalidation unit adapted to invalidate a first authentication mechanism if it has been verified by the verification unit that the authentication of the object of authentication in the second authentication mechanism succeeds” in column 20, lines 6-49 Dutcher teaches a method to verify the success of a second authentication and in column 11, lines 26-49 Dutcher teaches a method to invalidate or clean-up a first authentication.

The Applicant Argues:

In contrast to the invention of Claim 1, Dutcher discloses a method that allows a user to select a domain among a plurality of domains, and to login to the selected domain. However, Dutcher does not describe nor suggest anything regarding switching an authentication mechanism for use as described above.

In response, the examiner respectfully submits:

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That Dutcher does disclose changing an authentication column 13, lines 27-50.

The Applicant Argues:

In addition, Dutcher does not aim to avoid being locked out from the authentication mechanism. The other cited art also fails to disclose or suggest at least these features, and therefore the other art fails to remedy the deficiencies of Dutcher.

In response, the examiner respectfully submits:

Dutcher does avoid being locked out by coordinating all logon or authentications column 13, lines 15-26.

The Applicant Argues:

The invention of independent Claim 7 is an authentication method having method steps generally corresponding to the features recited in Claim 1, and Claim 7 is believed patentable for reasons similar to Claim 1.

In response, the examiner respectfully submits:

Arguments as stated above apply to claim 7.

The Applicant Argues:

The invention of independent Claim 13 includes, inter alia, the features of a verification step of verifying that authentication of an object of authentication in a second system has succeeded at a second authentication step, and a control step that performs control to switch the object of authentication from management under a first system to management under a second

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system, on the condition that the authentication of the object of authentication at a second authentication step has been verified.

In response, the examiner respectfully submits:

Dutcher does teach “the features of a verification step of verifying that authentication of an object of authentication in a second system has succeeded at a second authentication step, and a control step that performs control to switch the object of authentication from management under a first system to management under a second system, on the condition that the authentication of the object of authentication at a second authentication step has been verified” in column 20, lines 6-49 Dutcher teaches a method to verify the success of a second authentication and in column 6, lines 1-12 Dutcher teaches that when the user is done at the client authentication control switches to the server.

The Applicant Argues:

Independent Claims 16 and 19 are directed to an apparatus and a program that recite similar features. Those claims are believed patentable over the cited art for reasons similar to Claim 1.

In response, the examiner respectfully submits:

Arguments as stated above apply to claims 16 and 19.

Based on the examiner’s arguments claims 1, 5, 6, 7, 11, 12, 13, 14, 16, 17, and 19 are rejected under 35 U.S.C. 102(b) and claims 3, 4, 9, 10, 15, and 18 are rejected under 35 U.S.C. 103(a).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rebecca L. Pachura whose telephone number is (571) 270-3402. The examiner can normally be reached on Monday-Thursday 10:00 am-8:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on (571) 272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rebecca L Pachura/
Examiner, Art Unit 2136

/Nasser G Moazzami/
Supervisory Patent Examiner, Art Unit 2136